

June 1, 2020  
Full SFIREG minutes  
Dicamba 2020 Growing Season Update  
Amy Sullivan, AAPCO Executive Secretary

Bahr began by introducing the session with Dan Kenny, EPA RD introducing Meg Hathaway, Senior Registration Specialist in the Herbicide Branch. Hathaway began by acknowledging that the compound is well known by most on the line. She said that by December 20, 2020 all dicamba over the top (OTT) registrations will expire unless EPA determines to extend them. There have been a number of incident reports on these compounds. In 2018 they were conditionally registered for two years, which brings us to today. In the past EPA worked with a wide array of stakeholders, and they are widening the stakeholder input for this year's decision. EPA hopes to have a decision in time to allow for planning for the 2021 growing season. They have received a lot of new data, including registrant data required by the terms and conditions of the registration such as monitoring and incident data, as well as new information regarding field volatility and off-target movement data. EPA is also receiving data from academic institutions and extension services. This is the conversation with state stakeholders. Hathaway thanked the states and agencies that have provided EPA with data so far. Some may have heard that EPA was soliciting data by May 1, but EPA is still open to gathering more information with the caveat that as the time goes on and gets closer to this fall, the agency will have less time to review what comes up. If you have anything to bring to their attention, please try to get it to them in a timely manner. Hathaway addressed what types of information would be most useful to EPA, which includes: rates of technology adoption, trends and incident reports, resistance monitoring, feedback specifically on the current label language, cost of enforcement actions related to dicamba OTT. The biggest overall thing they would like is lessons on improved practices and mitigation, i.e. what is working for your state and what isn't. There have been different approaches adopted by different states, and EPA is interested to hear how things have gone and what advice states may have to EPA at this time as they move forward. Hathaway thanked the committee for the opportunity to present.

Bahr asked Kenny if he had any other topics he wanted to present. Kenny asked if there were any questions EPA could help with, but that Hathaway gave the current status so he didn't have anything to add. Bahr recapped Hathaway's list of useful information, and Hathaway cleared up one request that it be what percentage of soy and cotton was dicamba tolerant versus conventional. Kenny said that generally speaking they are looking at the new decision, so not only are they looking at what updated and hopefully improved data they have to answer questions about the nature of the chemical, but also understanding better how EPA should try to improve the label. EPA understands from talking with stakeholders that the label can be difficult, and there are still incidents occurring, so this is also an opportunity to see what can be done with the label by opening a dialogue with the states (it doesn't have to be data), but an engagement with the states to describe better how the label is used in the states and what has been done to make it work better. It would be a helpful qualitative discussion in the considerations as EPA moves into the mitigation phase of the assessments shortly. Hathaway elaborated on the request for resistance issues. One of the main advantages of the OTT

registration is that they are intended to protect soy and cotton from weeds that are difficult to control and oftentimes glyphosate resistant, but they are mindful of the possibility of dicamba resistance forming as well, so that is of interest to the agency. Leach asked Hathaway if the new information regarding field volatility was registrant submitted or is that coming from academic, extension and sla sources. Hathaway said that the registrant and academics have provided information, and that they are open to receiving data from multiple sources.

Bahr opened the conversation up to the SFIREG representatives to ask questions or to provide information about their states or region as we move into the use season. He called out the representatives by region to see if they wanted to bring anything up. Owens of Region 5 commented that three R5 states have instituted special local needs labels for the products: IL, IN, MN. They all have cut off dates of June 20<sup>th</sup> for application. IL also instituted a temperature restriction of 85 degrees F. IL and IN have received a limited number of requests to extend the cutoff date, but IL is not planning on extending it this year and probably IN is the same approach. Right now, there haven't been any dicamba related complaints, as it is a little early yet. Region 6, Williams gave an update saying that most of the R6 states are not having significant issues, except for Arkansas. AR's cases did go up last season, but not significantly, and none of the R6 states have implemented any new rules for 2020. Region 7, Creger provided a brief summary in his regional report. The bottom line is that the complexity of the four RUP labels have forced applicators into parsing the label language so finely that it backs the state into an undesirable position in enforcement determining what is or isn't a handheld device, or a neighboring area. These are issues AAPCO's workgroup worked on last year and were submitted to the agency last year. The difficulty interpreting the labels, even though we know EPA's registration division tried so hard, but it continues to press the difficulty with the labels which translates into additional widespread misuse. Region 8, Nahalewski said that it is a non-issue for many R8 states, but South Dakota understands that there is an environmental impact and there is a lawsuit against the registrants because of that. Nahalewski is wondering if that is picking up steam in other states as well? Bahr said that he hadn't heard of anything, but it is a good concern to be aware of. Bahr thanked the representatives for the discussion and asked if there were any other questions from the AAPCO board, or any other participants. Hearing none he thanked Kenny and Hathaway for their time presenting and sharing the list of items of interest to EPA for continued input.